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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,302	10/11/2001	John David Laughlin	10007788-1	1847
22879	7590	09/23/2008		
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER DEBROW, JAMES J	
			ART UNIT	PAPER NUMBER
			2176	
			NOTIFICATION DATE	DELIVERY MODE
			09/23/2008	ELECTRONIC

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/976,302
Filing Date: October 11, 2001
Appellant(s): LAUGHLIN, JOHN DAVID

Steven L. Nichols

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 20 Jun. 2008 appealing from the Office action mailed 20 Mar. 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5579446	Naik et al.	11-1996
6559968 B1	Keronen	06-1999
6017113	Nicoloff, Jr. et al	01-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5, 11, 12, 18, 19, 25-27, and 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naik et al. (hereinafter “Naik”) (Patent No.: US 5,579,446, Date of Patent: Nov. 26, 1996) in view of Terasaka (Patent No.: US 6,236,462 B1; Filed: Oct. 1, 1998).

Regarding independent claim 2, Naik discloses a printer driver stored on a computer-readable medium comprising:

an interface configured to receive print job data (fig. 1; Naik discloses an interface configured to receive print job data.).

a print job formatting routine which notes one or more regions within a print job derived from the print job data and further specifies a particular print quality level at which each such region is then printed (figs. 2-3, 5, 7; col. 3 lines 29-42; col. 5 lines 23-33; col. 5 lines 58-65, col. 6 line 61 – col. 7 line 16; Naik discloses a user interface with options for controlling two separate print-quality characteristics, allowing different print-quality modes for formatting different type of objects to be printed in the same document.).

Naik does not expressly disclose *a WYSIWYG display routine for generating a WYSIWYG display of the print job; and*

a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print

quality level, said regions including or excluding any particular element or elements of said print job as desired by the user.

Terasaka teaches a WYSIWYG display routine for generating a WYSIWYG display of said print job (col. 3, lines 48-65; col. 4, lines 28-34; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of a print job on a WYSIWYG display.).

a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by the user (col. 3, lines 48-65; col. 4, lines 28-34; col. 6, lines 9-14; col. 7, lines 31-35; col. 8, lines 29-31; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of form data of a print job. Information specifying the print format is appended to the form data, which is the same data as the print setting. Terasaka further teaches partial printing, which the Examiner concludes is analogous to regions within a print job as they both define printing regions of a document and not printing the entire document. Thus specifying the print format of form data regarding partial printing thereby teaches a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions

including or excluding any particular element or elements of said print job as desired by the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding dependent claim 3, Naik discloses an *input routine configured to receive user input specifying a particular print quality level for each of the one or more regions defined within the print job* in fig. 2-3, 5, 7, col. 5 lines 23-33, col. 5 lines 58-65, col. 6 line 61 – col. 7 line 16, and col. 10 lines 44-57.

Regarding dependent claim 4, Naik discloses *receiving user input routine configured to receive user input through a mouse connected to a host computer on which the printer driver is running* in fig. 1.

Regarding dependent claim 5, Naik does not disclose expressly *wherein the user input routine is configured to display movement of a cursor on the WYSIWYG display in response to physical movement of the mouse, the movement of the cursor being used by the user input routine to define the one or more regions within the print job*.

Terasaka teaches *wherein the user input routine is configured to display movement of a cursor on the WYSIWYG display in response to physical movement of*

the mouse, the movement of the cursor being used by the user input routine to define the one or more regions within the print job (It has been established and is well known in the art that that WYSIWYG display system is configured to display movement of a cursor on the WYSIWYG display in response to physical movement of the mouse, the movement of the cursor being used by the user input.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding independent claim 11, Naik discloses *a method of printing documents comprising printing designated regions within a print job at different print quality levels*, said method further comprising (figs. 2-3, 5, 7; col. 3 lines 29-42; col. 5 lines 23-33; col. 5 lines 58-65, col. 6 line 61 – col. 7 line 16; Naik discloses a user interface with options for controlling two separate print-quality characteristics, allowing different print-quality modes for formatting different type of objects to be printed in the same document.):

Naik does not disclose expressly *displaying a WYSIWYG display of the print job;*
and

receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions

including or excluding any particular element or elements of said print job as desired by a user.

Terasaka teaches *displaying a WYSIWYG display of the print job* (col. 3, lines 48-65; col. 4, lines 28-34; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of a print job on a WYSIWYG display.).

receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user (col. 3, lines 48-65; col. 4, lines 28-34; col. 6, lines 9-14; col. 7, lines 31-35; col. 8, lines 29-31; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of form data of a print job. Information specifying the print format is appended to the form data, which is the same data as the print setting. Terasaka further teaches partial printing, which the Examiner concludes is analogous to regions within a print job as they both define printing regions of a document and not printing the entire document. Thus specifying the print format of form data regarding partial printing thereby teaches a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding dependent claim 12, Naik does not disclose expressly *the method of claim 11, further comprising specifying said one or more regions within a print job by moving a courser driven by a mouse over said WYSIWYG display.*

Terasaka teaches *specifying said one or more regions within a print job by moving a courser driven by a mouse over said WYSIWYG display* (col. 3, lines 48-65; col. 4, lines 28-34; col. 6, lines 9-14; col. 7, lines 31-35; col. 8, lines 29-31; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of form data of a print job. Information specifying the print format is appended to the form data, which is the same data as the print setting. Terasaka further teaches partial printing, which the Examiner concludes is analogous to regions within a print job as they both define printing regions of a document and not printing the entire document. Further, it has been established and is well known in the art that that WYSIWYG display system is configured to display movement of a cursor on the WYSIWYG display in response to physical movement of the mouse, the movement of the cursor being used by the user input.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a

WYSIWYG system which allows the user to see the image on the display screen he will see when it is printed (col. 3, lines 60-65).

Regarding independent claim 18, Naik discloses a computer system comprising:

a host computer (45 Fig. 1);
an interface on said host computer for connecting a printing device to said host computer (Fig. 1); and
a printer driver stored on said host computer for formatting print job data from said host computer to a printing device; wherein said printer driver comprises a print job formatting routine which notes one or more regions within a print job derived from print job data and further specifies a particular print quality level at which each such region is to be printed (2-3, 5, 7, col. 5 lines 23-33, col. 5 lines 58-65, and col. 6 line 61 – col. 7 line 16); and

Naik does not disclose expressly *wherein said print driver further comprises:*
a WYSIWYG display routine for generating a WYSIWYG display of the print job;
and a user input routine for receiving user input defining said one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.

Terasaka teaches a *WYSIWYG display routine for generating a WYSIWYG display of said print job* (col. 3, lines 48-65; col. 4, lines 28-34; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of a print job on a WYSIWYG display.).

a user input routine for receiving user input defining said one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user (col. 3, lines 48-65; col. 4, lines 28-34; col. 6, lines 9-14; col. 7, lines 31-35; col. 8, lines 29-31; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of form data of a print job. Information specifying the print format is appended to the form data, which is the same data as the print setting. Terasaka further teaches partial printing, which the Examiner concludes is analogous to regions within a print job as they both define printing regions of a document and not printing the entire document. Thus specifying the print format of form data regarding partial printing thereby teaches a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding dependent claim 19, Naik discloses *wherein the user input routine is configured to receive user input specifying a particular print quality level for each of the one or more regions defined within the print job* (figs. 2-3, 5, 7; col. 3 lines 29-42; col. 5 lines 23-33; col. 5 lines 58-65, col. 6 line 61 – col. 7 line 16; Naik discloses a user interface with options for controlling two separate print-quality characteristics, allowing different print-quality modes for formatting different type of objects to be printed in the same document.).

Regarding independent claim 25, Naik discloses *a printer driver stored on a computer-readable medium comprising:*

an interface configured to receive print job data (fig. 1; Naik discloses an interface configured to receive print job data.);

a user interface with which a user designates one or more specific region of a print job represented by said print job data (Figs. 2-3, 5, 7, col. 5, lines 23-33, col. 5, lines 58-65, and col. 6, line 61 – col. 7, line 16.); and

a print job formatting routine which notes said one or more regions within said print job and further specifies a particular print quality level at which each such region is

then printed (figs. 2-3, 5, 7; col. 3 lines 29-42; col. 5 lines 23-33; col. 5 lines 58-65, col. 6 line 61 – col. 7 line 16; Naik discloses a user interface with options for controlling two separate print-quality characteristics, allowing different print-quality modes for formatting different type of objects to be printed in the same document.).

Naik does not disclose expressly *wherein user input through said user interface can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.*

Terasaka teaches *wherein user input through said user interface can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user* (col. 3, lines 48-65; col. 4, lines 28-34; col. 6, lines 9-14; col. 7, lines 31-35; col. 8, lines 29-31; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of form data of a print job. Information specifying the print format is appended to the form data, which is the same data as the print setting. Terasaka further teaches partial printing, which the Examiner concludes is analogous to regions within a print job as they both define printing regions of a document and not printing the entire document. Thus specifying the print format of form data regarding partial printing thereby teaches a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions

including or excluding any particular element or elements of said print job as desired by the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding dependent claim 26, Naik does not disclose *expressly the printer driver of claim 25, wherein said user interface comprises a WYSIWYG display of said print job.*

Terasaka teaches *wherein said user interface comprises a WYSIWYG display of said print job* (col. 3, lines 48-65; col. 4, lines 28-34; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of a print job on a WYSIWYG display.)

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding dependent claim 27, Naik discloses *the printer driver of claim 25, wherein said interface comprises a mouse moving a cursor on a display of said print job, wherein clicking and dragging said cursor on said display designates a region of said print job* (Figs. 2-3, 5, 7, col. 5 lines 23-33, col. 5 lines 58-65, and col. 6 line 61 –

col. 7 line 16. The user can manipulate the text, graphics, and photo image regions of the document using the mouse cursor.);

Further, Terasaka teaches *wherein the user input routine is configured to display movement of a cursor on the WYSIWYG display in response to physical movement of the mouse, the movement of the cursor being used by the user input routine to define the one or more regions within the print job* (It has been established and is well known in the art that that WYSIWYG display system is configured to display movement of a cursor on the WYSIWYG display in response to physical movement of the mouse, the movement of the cursor being used by the user input.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding dependent claim 29, Naik teaches *wherein the print job formatting routine prompts a user to input a print quality level setting for at least one of the regions* in fig. 2 and 5.

Regarding dependent claim 30, Naik teaches *wherein the print job formatting routine prompts a user to input a print quality level setting for at least one of the regions* in fig. 2 and 5.

Regarding dependent claim 31, Naik teaches *wherein the print job formatting routine prompts a user to input a print quality level setting for at least one of the regions in fig. 2 and 5.*

Regarding independent claim 32, Naik discloses *a printer driver stored on a computer-readable medium comprising:*

an interface configured to receive print job data (Fig. 1; Naik discloses an interface configured to receive print job data.).

a print job formatting routine which notes said one or more regions within said print job derived from said print job and further specifies a particular print quality level at which each such region is then printed (figs. 2-3, 5, 7; col. 3 lines 29-42; col. 5 lines 23-33; col. 5 lines 58-65, col. 6 line 61 – col. 7 line 16; Naik discloses a user interface with options for controlling two separate print-quality characteristics, allowing different print-quality modes for formatting different type of objects to be printed in the same document.).

Naik does not disclose expressly a display routine for generating a display of said print job; and

a user input routine for receiving user input defining said one or more regions within said print job using said display, wherein user input through said user interface can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.

Terasaka teaches *a display routine for generating a display of said print job* (col. 3, lines 48-65; col. 4, lines 28-34; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of a print job on a WYSIWYG display.).

a user input routine for receiving user input defining said one or more regions within said print job using said display, wherein user input through said user interface can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user (col. 3, lines 48-65; col. 4, lines 28-34; col. 6, lines 9-14; col. 7, lines 31-35; col. 8, lines 29-31; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of form data of a print job. Information specifying the print format is appended to the form data, which is the same data as the print setting. Terasaka further teaches partial printing, which the Examiner concludes is analogous to regions within a print job as they both define printing regions of a document and not printing the entire document. Thus specifying the print format of form data regarding partial printing thereby teaches a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Regarding independent claim 33, Naik discloses *a method of printing documents comprising printing designated regions within a print job at different print quality levels, said method further comprising* (figs. 2-3, 5, 7; col. 3 lines 29-42; col. 5 lines 23-33; col. 5 lines 58-65, col. 6 line 61 – col. 7 line 16; Naik discloses a user interface with options for controlling two separate print-quality characteristics, allowing different print-quality modes for formatting different type of objects to be printed in the same document.).

Naik does not disclose expressly *displaying a display of said print job; and receiving user input defining one or more regions within said print job using said display, wherein user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user.*

Terasaka teaches *displaying a display of said print job* (col. 3, lines 48-65; col. 4, lines 28-34; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of a print job on a WYSIWYG display.).

receiving user input defining one or more regions within said print job using said display, wherein user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user (col. 3, lines 48-65; col. 4, lines 28-34; col. 6, lines 9-14; col. 7, lines 31-35; col. 8, lines 29-31; Terasaka teaches a WYSIWYG system which contains a preview creating section that creates a print preview of form data of a print job. Information specifying the print format is appended to the form data, which is the same data as the print setting. Terasaka further teaches partial printing, which the Examiner concludes is analogous to regions within a print job as they both define printing regions of a document and not printing the entire document. Thus specifying the print format of form data regarding partial printing thereby teaches a user input routine for receiving user input defining the one or more regions within the print job using the WYSIWYG display, wherein the user input can selectively define any portion of said print job as a said region with an independent-specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by the user.).

Therefore at the time of the invention, it would have been obvious to one of ordinary skill in the art to combine Terasaka with Naik for the benefit providing a WYSIWYG system which allows the user to see the image on the display screen he will see when it when it is printed (col. 3, lines 60-65).

Note

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Claims 22, 23, 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naik in view of Terasaka, further in view of Nicoloff, Jr. et al. (hereinafter "Nicoloff") (Patent No.: US 6,017,113, Patent of Date: Jan. 25, 2000).

Regarding dependent claim 22, Naik discloses defining variable print quality for a plurality of regions in a document in fig. 2-3, 5, 7, col. 5 lines 23-33, col. 5 lines 58-65, and col. 6 line 61 – col. 7 line 16.

Naik in view of Terasaka does not disclose expressly *the print quality level is defined by pixels per unit distance*.

Nicoloff teaches a printer capable of mixed print quality *wherein print quality is defined by pixels per distance* in col. 2 line 41 – col. 3 line 26. It would have been obvious to one of ordinary skill to have combined Nicoloff with the teachings of Naik in view of Terasaka to create the claimed invention. It would have been obvious and desirable to have printed different regions at different resolutions because the different types of regions, such as monochrome versus color portions, in a document have different resolution requirements as taught by Nicoloff in col. 3 lines 17-26.

Regarding dependent claim 23, Naik teaches defining variable print quality for a plurality of regions in a document in fig. 2-3, 5, 7, col. 5 lines 23-33, col. 5 lines 58-65, and col. 6 line 61 – col. 7 line 16.

Naik in view of Terasaka does not disclose expressly *the print quality level is defined by pixels per unit distance*.

Nicoloff teaches a printer capable of mixed print quality *wherein print quality is defined by pixels per distance* in col. 2 line 41 – col. 3 line 26. It would have been obvious to one of ordinary skill to have combined Nicoloff with the teachings of Naik in view of Terasaka to create the claimed invention. It would have been obvious and desirable to have printed different regions at different resolutions because the different types of regions, such as monochrome versus color portions, in a document have different resolution requirements as taught by Nicoloff in col. 3 lines 17-26.

Regarding dependent claim 24, Naik teaches defining variable print quality for a plurality of regions in a document in fig. 2-3, 5, 7, col. 5 lines 23-33, col. 5 lines 58-65, and col. 6 line 61 – col. 7 line 16.

Naik in view of Terasaka does not disclose expressly *the print quality level is defined by pixels per unit distance*.

Nicoloff teaches a printer capable of mixed print quality *wherein print quality is defined by pixels per distance* in col. 2 line 41 – col. 3 line 26. It would have been obvious to one of ordinary skill to have combined Nicoloff with the teachings of Naik in view of Terasaka to create the claimed invention. It would have been obvious and

desirable to have printed different regions at different resolutions because the different types of regions, such as monochrome versus color portions, in a document have different resolution requirements as taught by Nicoloff in col. 3 lines 17-26.

Regarding dependent claim 28, Naik discloses defining variable print quality for a plurality of regions in a document in fig. 2-3, 5, 7, col. 5 lines 23-33, col. 5 lines 58-65, and col. 6 line 61 – col. 7 line 16.

Naik in view of Terasaka does not disclose expressly *the print quality level is defined by pixels per unit distance*.

Nicoloff teaches a printer capable of mixed print quality *wherein print quality is defined by pixels per distance* in col. 2 line 41 – col. 3 line 26. It would have been obvious to one of ordinary skill to have combined Nicoloff with the teachings of Naik in view of Terasaka to create the claimed invention. It would have been obvious and desirable to have printed different regions at different resolutions because the different types of regions, such as monochrome versus color portions, in a document have different resolution requirements as taught by Nicoloff in col. 3 lines 17-26.

Note

It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

(10) Response to Argument

(1) Claims 2:5, 11, 12, 18, 19, 25-27 and 29-33 are patentable over Naik and Terasaka:

Claims 2, 11, 18, 25, 32 and 33:

Appellant argues, "Terasaka does not teach or suggest the subject matter also missing from Naik, i.e., "receiving user input defining one or more of said regions within said print job using said display, wherein said user input can selectively define any portion of said print job as a said region with an independently- specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user. It is unclear from the record why the Examiner now cites Terasaka in this regard.

It is unclear from the record why the Examiner now cites Terasaka in this regard. The Examiner has previously conceded that "'Terasaka does not expressly disclose ... a user input routine for receiving user input defining said one or more regions within said print job using said WYSIWYG display, wherein said user input can selectively define any portion of said print job as a said region with an independently- specified print quality level said regions including or excluding any particular element or elements of said print job as desired by a user." (Action of September 6, 2007, pp. 3-4) (Brief, page 15)

The Examiner disagrees.

First and foremost, upon reopening of prosecution after Appellant's previous Appeal Brief (06 Dec. 2007), after further examination of the Terasaka reference, the Examiner determined that Terasaka did indeed teach the aforementioned limitation. Prosecution of the office action dated 06 Sep. 2007 and the Appeal Brief dated 06 Dec. 2007 is closed. Thus any arguments relating thereof are moot and has no bearing on the currently appealed rejection/office action. Therefore there no contradiction of the Examiner's position as it relates to the current prosecution.

Terasaka teaches a WYSIWYG system which contains a print request processing, print setting storing and print preview section. When a preview request is issued, the print creating section creates a print preview of form data and returns the print preview to the general application for display. Terasaka teaches the operator can perform an operation to modify the print setting of the print driver and/or the print setting of the host terminal printer emulator TMI contained in the WYSIWYG system. The process then uses the modified setting to create a modified preview. Terasaka also teaches the print request processing and print setting storing section in the WYSIWYG system has a terminal configured table and one print setting table for each terminal which contains the optimum print setting for each kind of form. Terasaka further teaches partial printing as an advantage of the system. Thus one of ordinary skill in the art would conclude that the print setting, which can be modified, as applied to the whole

document, could also be applied to the document or regions of the document as it applies to partial printing. Therefore using the broadest reasonable interpretation, the Examiner concludes that setting/defining the print levels as it relates to partial printing of a print job is analogous to defining one or more of said regions within said print job. Therein Terasaka teaches/suggests "receiving user input defining one or more of said regions within said print job using said display, wherein said user input can selectively define any portion of said print job as a said region with an independently- specified print quality level, said regions including or excluding any particular element or elements of said print job as desired by a user. (col. 3, lines 48-53; col. 4, lines 28-34; col. 6, line 9-col. 7, line 55; col. 8, lines 18-31).

Furthermore, it has been established and is commonly known in the art that regions of a document within a WYSIWYG editor can be independently accessed for reasons to include but not limited to modification of one or more regions.

Claims 3 and 19:

Appellant argues "the rejection of claims 3 and 19 should not be sustained for at least the same reasons given above in favor of the corresponding independent claims." (Brief, page 18)

The Examiner disagrees for at least the same rationale given above in the corresponding independent claims.

Furthermore, the Examiner notes that Claims 3 and 19 appear as being of improper dependent form for failing to further limit the subject matter of their respective previous corresponding claim.

Claims 5 and 12 are patentable over Naik and Terasaka

Appellant argues *"Naik and Terasaka, did not include the claimed "user input routine is configured to display movement of a cursor on said WYSIWYG display in response to physical movement of said mouse, said movement of said cursor being used by said user input routine to define said one or more regions within said print job."*
(Brief, page 19)

The Examiner disagrees for at least the same rationale given above in the corresponding independent claims.

Further as it relates to *"movement of a cursor on said WYSIWYG display in response to physical movement of said mouse"*, as previously stated, it has been established and is well known in the art that that WYSIWYG display system is configured to display movement of a cursor on the WYSIWYG display in response to physical movement of the mouse, the movement of the cursor being used by the user input.

(2) Claims 22-24 and 28 are patentable over Nail, Tersaka and Nicoloff:

Appellant argues "this rejection should not be sustained for at least the same reasons given above in favor of the patentability of the corresponding independent claims".

The Examiner disagrees for at least the same rationale given above in the corresponding independent claims

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/JAMES J. DEBROW/

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